

REMARKS

The applicants have carefully studied the Office Action mailed on 24 June 2009. The present amendment is intended fully responsive to all points of rejection. Favorable consideration and allowance of the present application are hereby respectfully requested.

The applicants thank the Examiner for the courtesy of an interview granted on 15 October 2009 to the applicants' representative David Zviel, registration number 41,392. The substance of the Interview is described in the Interview Summary. The applicants note that it is not clear what is meant by "emphasizing fixed portion vs. at least part of the MSC function" mentioned in the Interview Summary.

In the interview, the Examiner and the applicants' representative discussed the invention in general including the term "at least part of the MSC section". The applicants' representative informed the Examiner regarding proposed amendments to claim 34 which require that the Initialization Vector is a function of at least part of the MSC section and that the Initialization Vector and a key are used to descramble packets and that this feature is certainly not in Candelore and, to the best of our knowledge it is not in the prior art. The Examiner agreed to perform and update the search after receiving the response from the applicants. No agreement was reached about allowance.

A reply to the Office Action was received in the PTO on 10 November 2009. A Notice of Non-Compliant Amendment was mailed on 24 March 2010, indicating that the text of withdrawn claims had not been included in the listing of the claims.

The applicants thank the Examiner for the courtesy of a telephone interview on 6 April 2010 with the undersigned, who pointed out that there were no longer any withdrawn claims since the amendment had cancelled the previously withdrawn claims. The Examiner requested that the text of the previously withdrawn claims be included even if they were cancelled, as that would be more

convenient for him to determine that the new claims were not within a non-elected group. Accordingly, the amendment is resubmitted as requested.

Claims 31-36, 41 and 42 were examined. Claims 1-30, 37-40 had been withdrawn as being drawn to a non-elected invention.

Claims 31-36 have now been amended.

Claims 1-30, 41 and 42 have now been canceled without prejudice.

Claims 43-48 have been added.

Claims 31-36, 40-41 stand rejected under 35 U.S.C. 102(e) as being anticipated by Candelore, et al. (US 2003/0021412).

The Examiner's rejections are respectfully traversed.

While continuing to traverse the Examiner's rejections, and without in any way prejudicing the patentability of the rejected claims, the applicants have, in order to expedite the prosecution, chosen to amend claims 31-36 to include the limitations of now canceled claims 41 and 42 and additionally supported by the PCT Published Patent Application on pages 1, 16 and 19. Additionally, claims 31-36 are now directed towards descrambling.

Claim 31 is directed towards a system for descrambling at least one packet. The at least one packet has a must stay clear (MSC) section which must always stay in the clear.

The system includes a descrambling device to:

1. Compute a Cipher Initialization Vector as a function of at least part of the MSC section of the at least one packet; and
2. Descramble the at least one packet so that the at least one packet is descrambled using the Cipher Initialization Vector of the at least one packet and a Key as input.

It will be appreciated that a Cipher Initialization Vector is a "term of art" used to describe a value which is commonly used as an input in a Cryptographic Cipher. A cipher typically uses the Cipher Initialization Vector as a starting or initial value with which to perform an initial encryption or decryption operation. Therefore, a Cipher Initialization Vector is sometimes referred to as an initial value or IV.

Therefore, the Cipher Initialization Vector should not be confused with other values or data.

Candelore, on the other hand, does not appear to describe use of a Cipher Initialization Vector as input to a Cipher. In fact, Candelore does not appear to describe the internal workings of any Cipher or other encryption/decryption engine.

Additionally, Candelore does not appear to describe computing a Cipher Initialization Vector as a function of at least part of a must stay clear section.

Therefore, it is respectfully submitted that claim 31 is both novel and non-obvious.

New claims 43-48 are supported by previously presented claims 31-36, respectively, and now canceled claims 41 and 42 and the PCT Published Patent Application on pages 1, 16 and 19.

Additionally, it is respectfully submitted that claims 32-36 and 43-48 are both novel and non-obvious over Candelore, et al.

Favorable consideration and allowance of the present application are
hereby respectfully requested.

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Respectfully submitted,



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